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**REMARKS**

Hereinafter, the claims that are pending prior to the entry of the amendments in this response are called "currently pending claims."

**1. New claims**

New Claim 16 has been added in order to draft an allowed generic Claim as provided by 37 CFR 1.141. New Claims 17-22 are depending Claims to new Claim 16. New Claim 16 claims etching gases  $C_5F_8$  and  $CHF_3$  and  $C_4F_6$  and  $CHF_3$  which have been claimed by currently pending claims 1 and 9, using the generic wording  $C_nF_{2n-2}$  and  $CHF_3$ , wherein,  $n = 4$  or  $5$ . New claims 16 to 22 therefor clearly should not involve new matter.

**2. Restriction requirement**

The Examiner has required a Restriction under 35 USC § 121 to either Claims 1-8 (Species I), drawn to a plasma etching the oxide insulating layer by an etching gas containing  $C_5F_8$  and  $CHF_3$  or Claims 9-5 (Species II), drawn to a plasma etching the oxide insulating layer by an etching gas containing  $C_4F_6$  and  $CHF_3$ . Applicant elects under 35 U.S.C. 121 the single disclosed Species I Claims 1-8 for further prosecution. New Claims 16-22 are believed to be generic and thus, properly examinable with the Claims of Species I.

Accordingly, reconsideration and examination of the present application is respectfully requested.

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The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D.C., 20231 on

September 17, 2002

(Date of Deposit)

Richard P. Berg

(Name of Person Depositing)

(Signature)

9/17/2002

(Date)

Enclosures: Appendix A  
Check No. 15714 (\$168.00)

Respectfully submitted,



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APPENDIX A

16. A method of forming a self-aligned contact hole suitable for a semiconductor substrate having a pair of gate electrodes, comprising the steps of:

forming a nitride etching stop layer over the gate electrodes and the semiconductor substrate;

forming an oxide insulating layer on the nitride etching stop layer; and

plasma-etching the oxide insulating layer by an etching gas containing  $C_nF_{2n-2}$  and  $CHF_3$ , wherein  $n = 4$  or  $5$ , so as to form a self-aligned contact hole between the pair of gate electrode.

17. A method of forming a self-aligned contact hole as claimed in Claim 16, wherein the oxide insulating layer is BPSG.

18. A method of forming a self-aligned contact hole as claimed in Claim 16, wherein the oxide insulating layer is silicon oxide formed by a reactive gas containing TEOS.

19. A method of forming a self-aligned contact hole as claimed in Claim 16, wherein the nitride etching stop layer is silicon nitride.

20. A method of forming a self-aligned contact hole as claimed in Claim 16, wherein the nitride etching stop layer is silicon oxynitride.

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21. A method of forming a self-aligned contact hole as claimed in Claim 16, wherein the etching gas further comprises an inert gas.

22. A method of forming a self-aligned contact hole as claimed in Claim 21, wherein the inert gas is argon gas.

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